

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

UNITED STATES OF AMERICA	§	
	§	
VS.	§	CRIMINAL ACTION NO. C-09-64
	§	
CESAR MANUEL VEGA	§	

MEMORANDUM OPINION AND ORDER OF DETENTION PENDING TRIAL

A detention hearing has been held in accordance with the Bail Reform Act, 18 U.S.C. § 3142(f). The following requires detention of the defendant pending trial in this case:

(1) There is a serious risk that the defendant will not appear for court as required; and

(2) There is a serious risk that the defendant will endanger the safety of another person or the community.

The evidence against the defendant is substantial. The findings and conclusions contained paragraphs one through four of the Pretrial Services Report are adopted. The defendant lied to his Pretrial Services Officer, stating that he was a United States citizen when in fact he is a resident alien. The defendant also lied about his previous trips to Mexico, telling Pretrial Services he last visited Mexico in 2006. He told the ATF Agent Waters he had taken guns to Mexico in December 2007. According to the defendant's wife, the defendant has a Mexican passport, and he told his pretrial services officer that he had no passport. The

defendant has ties to Mexico and is facing deportation if convicted. The nature of the offense reflects contact with Mexico, and according to the agent, the firearms which the defendant intended to sell in Mexico are the type of firearm preferred by the drug cartels in Mexico.

The defendant is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States marshal for the purpose of an appearance in connection with a court proceeding.

ORDERED this 10th day of March, 2009.


B. JANICE ELLINGTON
UNITED STATES MAGISTRATE JUDGE